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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MAXIMILIAN KLEIN, et al.,

Plaintiffs,

vs.

META PLATFORMS, INC.,

Defendant.

This Document Relates To: All Actions

Consolidated Case No. 3:20-cv-08570-JD

**CONSUMER PLAINTIFFS' INTERIM
ADMINISTRATIVE MOTION TO
PROVISIONALLY FILE CONSUMER
PLAINTIFFS' CLASS CERTIFICATION
MOTION DOCUMENTS UNDER SEAL**

The Hon. James Donato

Hearing Date: Dec. 14, 2023 at 10:00 a.m.

1 Pursuant to Civil Local Rules 7-11 and 79-5, Consumer Plaintiffs (“Consumers”)
2 respectfully submit this interim administrative motion to provisionally file under seal the unredacted
3 versions of Consumers’ Notice of Motion and Motion for Class Certification and Appointment of
4 Class Counsel and Memorandum of Points and Authorities in Support, their Motion to Exclude
5 Portions of the Expert Report and Testimony of Dr. Catherine Tucker, and certain class certification
6 expert reports and exhibits submitted as attachments to the Declaration of Kevin Y. Teruya.
7 Contemporaneous with this interim administrative motion to seal, Consumers also file redacted
8 versions of their class certification and *Daubert* briefing and supporting materials. *In re Google*
9 *Play Store Antitrust Litig.*, Case No. 3:21-md-2981-JD (N.D. Cal.), Dkt. 246.

10 The Court’s scheduling order provides that class certification and class *Daubert* motions are
11 to be filed by September 15, 2023, oppositions to class certification and class *Daubert* motions are
12 to be filed by October 13, 2023, and replies to class certification and class *Daubert* motions are to
13 be filed by November 3, 2023. *See* Dkt. 379. Because “voluminous or multiple administrative
14 motions to seal would be filed if normal procedures were followed,” the parties believe that their
15 respective class certification and *Daubert* briefing and related exhibits are subject to the procedures
16 set forth in Paragraph 31 of the Court’s Standing Order for Civil Cases, which calls for the filing of
17 a single combined administrative motion to seal covering all unopposed sealing requests, and a
18 single combined administrative motion to seal covering all opposed requests, following the
19 completion of briefing “Omnibus Sealing Motions”). *See* ¶ 31, Standing Order for Civil Cases
20 Before Judge Donato; Dkt. 639 (parties’ stipulation that ¶ 31 of the Court’s Standing Order applies).

21 Following the completion of class certification and *Daubert* briefing, Consumers will, by
22 November 21, 2023 (two-and-a-half weeks after the close of briefing), file—in consultation with
23 Facebook and non-parties—Omnibus Sealing Motions pursuant to Paragraph 31 of the Court’s
24 Standing Order. Dkt. 639 at 2. Those Omnibus Sealing Motions will describe the reasons for the
25 requested sealing, ensure that any sealing requests are narrowly tailored, and supersede this interim
26 motion to provisionally maintain under seal materials submitted in connection with Consumers’
27 Motions. In the interim, Consumers respectfully request that the Court provisionally maintain under
28 seal the requested materials.

1 DATED: September 15, 2023

2 By: /s/ Shana E. Scarlett

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ATTESTATION OF KEVIN Y. TERUYA

This document is being filed through the Electronic Case Filing (ECF) system by attorney Kevin Y. Teruya. By his signature, Mr. Teruya attests that he has obtained concurrence in the filing of this document from each of the attorneys identified on the caption page and in the above signature block.

Dated: September 15, 2023

By /s/ Kevin Y. Teruya
Kevin Y. Teruya

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September 2023, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System, causing it to be electronically served on all attorneys of record.

By /s/ Kevin Y. Teruya
Kevin Y. Teruya